

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

RICHTER ET AL.

APPLICATION NO: 09/437,843

FILED: November 10, 1999

FOR: PHARMACEUTICAL COMPOSITION



Art Unit: 1614

Examiner: K. WEDDINGTON

Assistant Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER

Sir:

Novartis AG (successor to Sandoz Ltd.), a Swiss Corporation, having a place of business at Schwarzwaldallee 215, Basel Switzerland 4058, represents that it is the assignee and owner of the entire interest in the above-identified application by virtue of an assignment which was recorded in the United States Patent and Trademark Office at reel 8575, frame 0229. A copy is enclosed.

Novartis AG hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154-156 and §173 as shortened by any terminal disclaimer of U.S. Patent 6,005,001, which U.S. patent is also assigned to Novartis AG by virtue of the same assignment .

Novartis AG hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that it and U.S. Patent 6,005,001 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Novartis AG does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 USC §154-156 and §173 of U.S. Patent 6,005,001, as shortened by

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Signed this 21st day of March, 2000 by the undersigned agent of record.

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encl: Assignment

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